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January 2, 2024

Honorable Eric N. Vitaliano
United States District Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201
Via ECF

Ferguson v City of New York et al, 17-cv-06871-ENV-SJB

Your Honor:

I represent the Plaintiff in the above-entitled civil rights action. I am compelled to write in response to the letter submitted by counsel for Defendants on December 28, 2023 due to a significant error made by my adversary.

Defendants misconstrue the purpose of Plaintiff's application.

Plaintiff is not trying to bring in new evidence to bolster his claim. Rather, Plaintiff is attempting to correct an inadvertent filing error as to what was referenced but omitted in his submissions to this Court. Such documents were explicitly referenced in Plaintiff's submission, but inadvertently not attached to his filing. The distinction between what Plaintiff requests he be allowed to do and what Defendants apparently misconstrue Plaintiff as requesting he be allowed to do, is probably inadvertent, but is significant.

Respectfully submitted,

/s/

Fred Lichtmacher

cc: Geoffrey M. Stannard
Assistant Corporation Counsel
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